

City of Tea  
Regular Meeting  
January 17, 2011

A regular meeting of the Tea City Council was held at Tea City Hall on January 17, 2011 at 7:00 p.m.

Council President Joe Weis called the meeting to order at 7:09 pm with the following members present: Brian Fowlds, Herman Otten and Todd Boots. Also present was Finance Officer Dawn Murphy, Administrative Assistant/Economic Development Director Jenni White, Police Chief Brian Ketterhagen, Planning & Zoning Administrator Kevin Nissen and City Engineer Jason Kjenstad. Mayor John Lawler, Councilmembers Sidney Munson and Chuck Ortmeier; and Utility Superintendent Thad Konrad were absent.

**AGENDA. MOTION 11-014. MOTION** by Fowlds, seconded by Boots to approve the January 17 agenda. All members voted AYE.

**PUBLIC HEARING CONDITIONAL USE PERMIT 11-01.** As this was the time set, Council President Weis opened the public hearing for condition use permit for Emily Olson to operate a group daycare in a single family residential district at 955 N. James Ave. She plans to register with the state and have less than 12 kids. The house is still under construction and no occupancy certificate has been issued. There were no comments. **MOTION 11-015. MOTION** by Otten, seconded by Fowlds to approve conditional use permit #11-01 for Emily Olson to operate a group daycare in a Residential District at 955 N. James Ave. effective upon an occupancy certificate being issued for the house. All members voted AYE.

**MINUTES. MOTION 11-016. MOTION** by Boots, seconded by Fowlds to approve the January 3, 2011 minutes. All members voted AYE.

**468<sup>th</sup> AVENUE.** Jason gave an update on the preliminary designs for improvements to 468<sup>th</sup> Ave. One option would be to do a rural section only with one lane in each direction, estimated cost of 1.9 million dollars. Option two included a half urban section on the east side, which will allow for pedestrian traffic and a rural section on the west side. Estimated cost 2.5 million dollars. There are several issues with the wet lands and the nature preserve area that limits what can be done. There are a couple of grants the city could apply for to help with the costs. The Transportation Enhancement Grant from the Department of Transportation would help pay for the bike path/trail system along 468<sup>th</sup> Ave. and connecting to the Howling Ridge Development to the north. Cost estimate for the trail system is 1 million dollars. Maximum grant is \$500,000 and would not have to be used until 2013. Application deadline for this grant is February 1. The other grant that the city could apply for is a Community Access Grant. Application deadline for this grant is usually in July. **RESOLUTION 11-01-01, APPROVING APPLICATION FOR TRANSPORTATION ENHANCEMENT GRANT FROM THE SD DEPARTMENT OF TRANSPORTATION. MOTION 11-017. MOTION** by Boots, seconded by Fowlds to approve Resolution 11-01-01. All members voted AYE. WHEREAS, the City of Tea has determined a need for a pedestrian/bicycle facility connecting the Howling Ridge Neighborhood to the School Campus and the Fish and Wildlife Reserve and the existing trails contained therein; and WHEREAS, the City of Tea wishes to apply for a Transportation Enhancement Grant from the South Dakota Department of Transportation. THEREFORE LET IT BE RESOLVED, that the City Council hereby authorizes the filing of a Transportation Enhancement Grant application, including all understandings and assurances contained therein and hereby authorizes the Mayor to act in connection with the application and grant agreement and to provide such additional information as may be required. Dated this 17th day of January, 2011.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**PRE-ANNEXATION AGREEMENT/ANNEXATION.** Costello L & C Family LP has submitted a signed Pre-annexation Agreement and Petition to Annex property at the northeast corner of Highway 111 and Brian St. The property will have commercial and multi-family uses. **MOTION 11-018. MOTION** by Fowlds, seconded by Boots to approve the pre-annexation agreement between the City of Tea and Costello L & C Family LP. All members voted AYE. **RESOLUTION 11-01-02. MOTION 11-019. MOTION** by Fowlds, seconded by Boots to approve the following resolution. All members voted AYE. **WHEREAS** there has been a petition received seeking to include certain real property within the corporate boundaries of the City of Tea; and **WHEREAS**, the petition has been signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed to the City of Tea; and **WHEREAS**, said petition complies with all requirements of SDCL 9-4-1; **NOW THEREFORE, BE IT RESOLVED BY THE CITY OF TEA, SOUTH DAKOTA** that the following described properties be and the same hereby are included within the corporate limits of the City of Tea, and the boundary of the city is hereby extended to include such territory as allowed by SDCL 9-4-1: 9.61 acres of Tract 3 Jongeling's Addition, except previously annexed area (50' right of way & 15' property). Dated this 17<sup>th</sup> day of January, 2010.

John M. Lawler, Mayor

ATTEST: Dawn R. Murphy, Finance Officer

**PRESCOTT APARTMENTS.** Joan Franken was present from Costello Companies to discuss a proposed 48 unit apartment complex. Prescott Apartments will be built to the northeast of Tea Pizza Ranch. Concerns were discussed regarding the need for a 48 unit apartment complex and the possibility of an over load of children to the Tea Area School District in a short period of time. The units will be marketed to tenants at or below 40%, 50% and 60% of the area median income and 5 units will be rented at market rate. The project will be financed through Low Income Housing Tax Credits. They are making an application to the South Dakota Housing Development Authority and as part of the application they are required to have evidence of support from the local governing body. **MOTION 11-020. MOTION** by Fowlds, seconded by Otten to table the Prescott Apartments Letter of Support until the February 7 meeting. All members voted AYE.

**FAIRMONT REHAB PROJECT.** The Fairmont Rehab Project would renovate the apartment buildings at 400 N. Joseph and 401 N. Carla. This project will be financed through Low Income Housing Tax Credits and a Rural Development Section 515 Preservation Loan. The project will be marketed to tenants at or below 40%, 50% and 60% of the area median income and will remain under the Rural Development Housing program. They are making an application to the South Dakota Housing Development Authority and as part of the application they are required to have evidence of support from the local governing body. **MOTION 11-021. MOTION** by Fowlds, seconded by Otten to authorize the mayor to sign a Letter of Support for the Fairmont Limited Partnership Rehab. All members voted AYE.

**SANITARY SEWER MAIN LINING PROJECT PAY APPLICATION. MOTION 11-022. MOTION** by Fowlds, seconded by Otten to approve the 2010 Sanitary Sewer Main Lining Pay Application 2 (final) to Laqua Logistics d/b/a A-Tech Sewer in the amount of \$14,482.00, to be paid out of the Sewer Maintenance Reserve Account. All members voted AYE.

**HIGHWAY 111 IMPROVEMENT PROJECT PAY APPLICATION. MOTION 11-023.** MOTION by Otten, seconded by Boots to approve Pay Application 16 to Friessen Construction for the Highway 111 Improvement Project in the amount of \$21,332.85. All members voted AYE.

**ZONING.** Kevin presented 2010 building permit data. Lincoln County and Sioux Falls Planning Commission will have a joint meeting on January 12 regarding the Adesa Property. Lincoln County Planning and Zoning will be discussing the conditional use permit for a drive in movie theater west of Tea on January 18. This property is located outside of Tea City limits and outside of Tea's planning jurisdiction.

**POLICE DEPARTMENT CAR PURCHASE.** The police department would like to purchase a 4 wheel drive truck to be used during snow storms and times of large rainfalls. The truck would not be used on a daily basis. **MOTION 11-024.** MOTION by Boots, seconded by Otten to utilize the State of South Dakota bid price and purchase a Ford F250 (\$22,898) including the options of axle locking differential (\$312), spot light mounted 6" (\$625) and spray on bed liner (\$575) for a total of \$24,410. All members voted AYE.

**POLICE DEPARTMENT STANDARD WORK PERIOD POLICY.** There have been issues with overtime for the police department due to their 12 hours shifts. Federal Labor Standards Act (FLSA) allows for different workweeks for different employees or groups of employees. It also allows for law enforcement to be paid overtime on a "work period" basis ranging from 7 to 28 days. No overtime at time and a half rate needs to be paid until the employee exceeds the maximum hours established by FLSA. For law enforcement, for a 14 day work period, the maximum before overtime is paid is 86 hours. **MOTION 11-025.** MOTION by Boots, seconded by Fowlds that effective immediately, the Police Department Standard Work Period Policy for the purpose of calculating overtime is 14 days (86 hours). All members voted AYE.

**WATER METER READING SYSTEM.** The city needs to start looking at replacing the Badger Trace water meters that were installed 10 years ago. The battery life on the meter is 10 years and the city installed 72 meters in 2001. With technology changing it is a good time to look at different reading systems. Thad has gotten prices on two systems, Badger Galaxy from Dakota Supply Group and Sensus from HD Supply System. With the Galaxy system only the meter heads would need to be replaced and the meters could be read from City Hall. The battery life on the meter is 20 years. The Sensus system would require the entire meter to be replaced. Costs for the Galaxy system, including 50 meters, software and training is \$14,650 and individual meters cost \$177.20. The Sensus system is the meter cost is \$230 per meter and the tower system cost range from \$36,000 to \$83,000. **MOTION 11-026.** MOTION by Fowlds, seconded by Boots to approve the Galaxy Water Meter Read System from DSG. All members voted AYE.

**COMMITTEE REPORTS.** Herman addressed a citizens concern regarding the street markings at the stop light corner being covered up by snow. People are unaware that the center lane going north is for straight or left turning traffic. A sign is already posted on the east side of the road stating right lane turn only. It was requested to have signs hang by the stop light with lane instructions. Jason confirmed this is not feasible due to the stop light set up, wire weight, sign weight and blowing of the sign on the wire.

**MOTION 11-027.** MOTION by Fowlds, seconded by Boots to adjourn at 9:05 p.m. All members voted AYE.

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John M. Lawler, Mayor

ATTEST:

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Dawn R. Murphy, Finance Officer

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